

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DANIEL WILLIAM RUDD,
Plaintiff,

v

No. 1:18-cv-124

THE CITY OF NORTON SHORES,
MAYOR GARY NELUND, individually
and in his official capacity,
POLICE CHIEF DANIEL SHAW,
individually and in his official capacity,
SERGEANT MATTHEW RHYNDRESS,
individually and in his official capacity,
OFFICER MICHAEL WASSILEWSKI,
individually and in his official capacity,
MARK MEYERS, individually and as city
manager,

HON. GORDON J. QUIST

MAG. RAY KENT

F/LT. CHRIS MCINTIRE, Michigan State
Police only in his individual capacity;

ATTORNEY DOUGLAS HUGHES,
individually and acting on behalf of his law
firm,
WILLIAM HUGHES, PLLC, a Michigan
law firm,

ATTORNEY MELISSA MEYERS,
individually and acting on behalf of her
law firm,
ATTORNEY MICHELLE MCLEAN,
individually and acting on behalf of her
law firm,
ATTORNEY JOEL BAAR, individually
and acting on behalf of his law firm,
BOLHOUSE, BAAR & HOFSTEE PC, a
Michigan law firm,
Defendants.

Daniel William Rudd
Pro Se Plaintiff
201 S. Lake Ave.
Spring Lake, MI 49456
231.557.2532
daniel@stock20.com

Melissa Meyers (P59559)
Tanis Schultz PLLC
Attorney for Defendant Melissa Meyers
85 Campau Ave NW Ste R305
Grand Rapids, MI 49503-2611
mmeyers@tanisschultz.com

Michelle M. McLean (P71393)
Bolhouse Baar & Lefere PC
Attorney for Defendants, Michelle
McLean, Joel Baar and Bolhouse, Baar
& Hofstee PC
Grandville State Bank Bldg.
3996 Chicago Dr. SW
Grandville, MI 49418
616.531.7711
michellem@bolhouselaw.com

Michael S. Bogren (P34835)
Plunkett Cooney
Attorney for Defendants City of Norton
Shores, Gary Nelund, Daniel Shaw,
Matthew Rhyndress, Michael
Wassilewski, Mark Meyers, Douglas
Hughes and William Hughes, PLLC
950 Trade Centre Way, Ste. 310
Kalamazoo, MI 49002
269.226.8822
mbogren@plunkettcooney.com

Sarah R. Robbins (P81944)
Michigan Dept. of Attorney General
Attorney for Defendant Chris McIntire
P.O. Box 30736
Lansing, MI 48909
517.373.1162
robbinss@michigan.gov

**OPPOSITION TO PLAINTIFF'S MOTION FOR SUR-REPLY TO
DEFENDANT MCINTIRE'S MOTION TO DISMISS**

Bill Schuette
Attorney General

Sarah R. Robbins (P81944)
Rock Wood (P41181)
Michigan Dept. of Attorney General
Attorneys for Defendant McIntire
P.O. Box 30736
Lansing, MI 48909
517.373.1162

Dated: June 21, 2018

Defendant McIntire opposes Plaintiff's motion for additional briefing to the pending motion to dismiss, which was filed in April 2018. The requested additional briefing is not necessary as the Court has received sufficient briefing to address the matters raised in Defendant McIntire's Motion to Dismiss and the accompanying brief. (ECF Nos. 23 and 24). Both parties have been afforded the briefing allowed under the court rules and the pending dispositive motion is ripe for decision.

Conclusion and Relief Requested

Defendant McIntire respectfully requests this Court deny Plaintiff's motion for additional briefing and rule on the pending motion to dismiss.

In total, for the reasons outlined in the previously filed Motion to Dismiss (ECF No. 23), the accompanying brief in support (ECF No. 24), the reply (ECF No. 44), and above this Court should dismiss all claims against Defendant Lieutenant McIntire with prejudice and grant such other relief as this Honorable Court deems appropriate.

Respectfully submitted,

Bill Schuette
Attorney General

/s/ Sarah R. Robbins
Sarah R. Robbins (P81944)
Attorney for Defendant McIntire
Michigan Dep't of Attorney General
State Operations Division
P.O. Box 30754
Lansing, MI 48909
(517) 373-1162
RobbinsS@michigan.gov

Dated: June 21, 2018